

1 Joshua B. Swigart  
State Bar No.: 225557  
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3 **HYDE & SWIGART**  
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6 Attorney for the Plaintiff  
Shirley R. Fleming  
7

8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 Shirley R. Fleming,  
11

12 Plaintiff,

13 v.

14 Branchfeld & Associates, P.C.,  
15

16 Defendant.

Case No.: 08 CV 0371 J BLM

**PROOF OF SERVICE**

1 JOSHUA B. SWIGART, ESQ. (SBN 225557)

2 **HYDE & SWIGART**

3 411 CAMINO DEL RIO SOUTH, SUITE 301

4 SAN DIEGO, CA 92108

5 Phone: 619-233-7770

6 Attorney for Plaintiff, SHIRLEY M. FLEMING

7  
8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
10

11 SHIRLEY R. FLEMING

) Case No.: 08CV0371JBLM

12 Plaintiff,

) PROOF OF SERVICE

13 vs.

14 BRANCHFELD & ASSOCIATES P.C.

15 Defendant.

16  
17 I, Paul Yupamake, declare as follows:

18 I am over the age of eighteen years and not a party to this  
19 action. I am employed in the County of San Diego, California,  
20 where the service occurred and my business address is 2250  
21 Fourth Avenue, San Diego, CA 92101.

22 I served the following documents:

23 SUMMONS IN A CIVIL ACTION; COMPLAINT; CIVIL COVER SHEET

24 //

25 //

JOSHUA B. SWIGART, ESQ. (SBN 225557)

HYDE & SWIGART

411 CAMINO DEL RIO SOUTH, SUITE 301

SAN DIEGO CA 92108

619-233-7770

Ref. No. : 0303922-01

Attorney for : PLAINTIFF

Atty. File No. : 08CV0371JBLM

UNITED STATES DISTRICT COURT, SO. DISTRICT OF CA  
SOUTHERN JUDICIAL DISTRICT

PLAINTIFF : SHIRLEY R. FLEMING  
DEFENDANT : BRANCHFELD & ASSOCIATES P.C.

Case No.: 08CV0371JBLM

**PROOF OF SERVICE**

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the SUMMONS IN A CIVIL ACTION; COMPLAINT; CIVIL CASE COVER SHEET
3. a. Party served : BRANCHFELD & ASSOCIATES P.C.  
AUTHORIZED AGENT FOR SERVICE: ERICA BRACHFELD  
b. Person served : RYAN LAZON, EMPLOYEE  
(PERSON APPARENTLY IN CHARGE)
4. Address where the party was served 20300 S. VERMONT AVE. STE. 120  
TORRANCE, CA 90502 (Business)
5. I served the party  
b. **by substituted service.** On March 6, 2008 at 09:49 AM I left the documents listed in item 2  
with or in the presence of RYAN LAZON, EMPLOYEE,  
PERSON APPARENTLY IN CHARGE  
(1) **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business  
of the person to be served. I informed him or her of the general nature of the papers.  
(4) a **declaration of mailing** is attached.  
(5) I attach a **declaration of diligence** stating actions taken first to attempt personal service.
6. The "Notice to the person served" (on the summons) was completed as follows:  
c. on behalf of: BRANCHFELD & ASSOCIATES P.C.  
AUTHORIZED AGENT FOR SERVICE: ERICA BRACHFELD  
under [xx] CCP 416.10 (corporation)
7. **Person who served papers**  
a. PAUL YUPAMAKE  
b. KNOX ATTORNEY SERVICE, INC.  
2250 Fourth Avenue  
San Diego, California 92101  
c. 619-233-9700  
d. Fee for service: \$87.50  
e. I am:  
(3) a registered California process server  
(i) an independent contractor  
(ii) Registration No.: 152  
(iii) County: San Diego

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 11, 2008

Signature:

  
PAUL YUPAMAKE

JOSHUA B. SWIGART, ESQ. (SBN 225557)  
HYDE & SWIGART  
411 CAMINO DEL RIO SOUTH, SUITE 301  
SAN DIEGO CA 92108

619-233-7770 Ref. No. : 0303922-01  
Attorney for : PLAINTIFF Atty. File No. : 08CV0371JBLM

UNITED STATES DISTRICT COURT, SO. DISTRICT OF CA  
SOUTHERN JUDICIAL DISTRICT

PLAINTIFF : SHIRLEY R. FLEMING  
DEFENDANT : BRANCHFELD & ASSOCIATES P.C.

Case No.: 08CV0371JBLM  
**DECLARATION REGARDING  
DILIGENCE**

I received the within process on 03/05/08. After due and diligent effort I have been unable to effect personal service on the within named party at the following address(es):

Party served BRANCHFELD & ASSOCIATES P.C.  
AUTHORIZED AGENT FOR SERVICE: ERICA BRACHFELD

Business : 20300 S. VERMONT AVE. STE. 120, TORRANCE CA 90502

Attempts to effect service are as follows:

03/06/08 09:49A Attempted service-effected substitute service

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 11, 2008

Signature: 

PAUL YUPAMA

JOSHUA B. SWIGART, ESQ. (SBN 225557)  
HYDE & SWIGART  
411 CAMINO DEL RIO SOUTH, SUITE 301  
SAN DIEGO CA 92108

619-233-7770

Attorney for : PLAINTIFF

Ref. No. : 0303922-01

Atty. File No. : 08CV0371JBLM

UNITED STATES DISTRICT COURT, SO. DISTRICT OF CA  
SOUTHERN JUDICIAL DISTRICT

PLAINTIFF : SHIRLEY R. FLEMING  
DEFENDANT : BRANCHFELD & ASSOCIATES P.C.

Case No.: 08CV0371JBLM  
**DECLARATION OF MAILING**

RE: BRANCHFELD & ASSOCIATES P.C.  
AUTHORIZED AGENT FOR SERVICE: ERICA BRACHFELD

I am a citizen of the United States and am employed in the County of SAN DIEGO, State of California. I am over 18 years of age and not a party to this action. My business address is  
**2250 FOURTH AVENUE, SAN DIEGO CA 92101**

On March 10, 2008 I served the within documents:

SUMMONS IN A CIVIL ACTION; COMPLAINT; CIVIL CASE COVER SHEET

On the party in said action, by mailing a true copy thereof (by first-class mail, postage prepaid), enclosed in a sealed envelope at the mail collection site at my place of employment, addressed to the following:

BRANCHFELD & ASSOCIATES P.C.  
AUTHORIZED AGENT FOR SERVICE: ERICA BRACHFELD  
20300 S. VERMONT AVE. STE. 120  
TORRANCE, CA 90502

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 10, 2008 at SAN DIEGO, California.

Signature: \_\_\_\_\_

  
KIMBERLY FOWLER

**DECLARATION OF MAILING**